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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Markland and Ladner

Serial No.: 08/676,125

ART UNIT: 1805

Filed: September 25, 1996

EXAMINER: Degen

Entitled: Kallikrein-Inhibiting "Kunitz  
Domain" Proteins and Analogues  
Thereof

Attorney Ref. DYX-006.2P US/Markland-1B

Assistant Commissioner for Patents  
Washington, D.C. 20231

**W**  
**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING  
REJECTION OVER A COPENDING PATENT APPLICATION**

The undersigned, being an attorney of record in the above-referenced patent application who is empowered to sign on behalf of Dyax Corp., avers that Dyax Corp., a Delaware corporation having a place of business at One Kendall Square, Building 600, Cambridge, Massachusetts 02139, certifies that it is the assignee of the entire right, title, and interest in the above-referenced patent application by virtue of the assignment from the inventors identified above as indicated by the Assignment Records of the U.S. Patent and Trademark Office at Reel No. 8151, Frame No. 0915.

Dyax Corp. hereby disclaims the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154-156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on the copending and commonly assigned U.S. application Ser. No. 08/208,264, filed March 10, 1994. Dyax Corp. hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that it and any patent granted on said copending application are commonly owned, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

In making the above disclaimer, Dyax Corp. does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154-156 and 173 of any patent granted on the copending application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The Commissioner is hereby authorized to charge the terminal disclaimer fee under 37 CFR 1.20(d) to Deposit Account No. 50-0268.

Respectfully submitted,

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